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February 9, 2000

VIA HAND DELIVERY

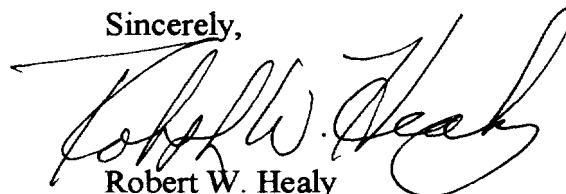
Ms. Magalie Roman Salas, Secretary
Federal Communications Commission
The Portals, 445 Twelfth Street SW
Washington, DC 20554

Re: Establishment of a Class A Television Service
MM Docket No. 0010 00-101
MM Docket No. 99-292
RM-9260

Dear Ms. Salas:

Transmitted herewith on behalf of G.I.G., Inc. is an original and four copies of its comments in the above-captioned proceeding. Please stamp the file copy as received.

Sincerely,



Robert W. Healy
Counsel for
G.I.G., Inc.

Enclosures
RWH/kmb

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7-5442

BEFORE THE

WASHINGTON, D. C. 20554

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¹FCC 00-16 released January 13, 2000 (“The Class A Rule Making”)

(c) the station be in full compliance with 47 CFR § 74.701 et. seq.

By checking three blocks on the FCC form entitled "Statement of Eligibility" for Class A Low Power Television Station Statutes", an LPTV licensee would presumably be eligible for such Class A status. This would be true even were the facts to reveal that the LPTV licensee had sufficient funds to use the station merely to televise home movies of the licensee's family. Thus, these three criteria are addressed solely to quantity and not to quality of programming. It is at *Class A Rule Making*, page 9, paragraph 21 that the FCC requests comments as to the circumstances under which a station that does not meet these criteria "nevertheless should be considered qualified for Class A status."

II. LPTV Stations are Often the Sole Source of New Network Programming

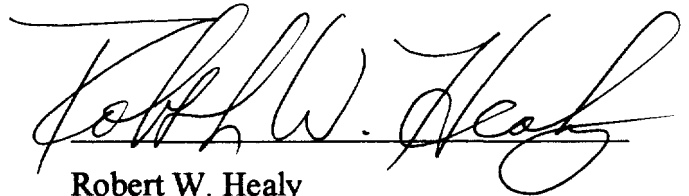
From the earliest days of television the Commission has recognized the number of channels than can be allotted is limited.² In 1982 when the FCC adopted the low power rules,³ the only source of network television was ABC, CBS and NBC. Since then there has evolved other network sources, such as Fox Broadcasting Company, United Paramount Network and WB Television Network. Each of these new networks offer free over-the-air television service. However, in many markets there are not enough television channels allotted to make these services available to those who do not subscribe either to cable or satellite. For example, while New York City has seven commercial channels in the market, and Los Angeles has nine; Sioux Falls, South Dakota has five and Grand Forks, North Dakota only two. Thus, one other matter that the FCC should consider is whether Class A status for an LPTV station would provide greater diversity through its programming of a network, than it possibly could from a purely local origination.

²Sixth Report on Television Allocations, 1 R.R.(Reports) at 91:601.

³Low Power Television Service, 51 R.R. 2d. 476.

For example, UPN features minorities in a starring or co-starring role in every one of its television series, every night of its schedule. Racial minority actors and actresses constitute fifty-three percent of the cast of all regular series programs of the UPN network. Thus, a network affiliation should be considered a qualification for Class A status. The network would not have affiliated with an LPTV station if it could have had an affiliation with a full power station. However, without Class A status, such new network service to the public is tenuous at best and this serves neither the station, the network nor the viewing public.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Robert W. Healy", written over a horizontal line.

Robert W. Healy
Counsel for
G.I.G., Inc.